

REMARKS

This amendment amends the specification, drawing and claims per the attached which are submitted under the new rules. The specification and claims are amended to improve their form and correct typographical and translation errors. In addition, enclosed is a Letter to the Official Draftsperson adding a new figure 19 to the drawings. Corresponding description is added to the specification. No new matter is introduced.

The new figure relates to an optical communication apparatus. Claim 10 of the original claims calls for an optical communication apparatus equipped with a driving circuit for a light emitting device as specified in any of claims 1, 2, 3 6, or 7. Thus a figure is required showing such an apparatus. The specification at paragraph 004 states that LEDs are used for various optical communication usage such as in remote control units for electric appliances. Paragraph 0050 states Fig. 1 shows a fundamental constitution for a driving circuit for an optical communication apparatus. Paragraph 00132 also refers to an optical communication apparatus. However, such an apparatus is not shown in the original application figures.

New Fig. 19 adds the missing figure. In Fig. 19, the optical communication apparatus comprises a transmitter 18 which is the LED drive circuit of Fig. 1 or other disclosed drive circuits of the other figures of the application. Any optical communication system must also include input and output circuits associated with the LED drive circuit. This drive circuit is a transmitter for transmitting optical signals. Also, an optical communication system must always have a receiver for receiving the transmitted optical signals and for converting the transmitted optical signals to an electric signal in reverse of the process occurring at the transmitter. These signals must always then be provided to an output processing circuit via input-output circuits. All such optical communication systems must have such

components. Optionally, as is well known, any communication system may include a two-way transmission system in the alternative to a one way transmission system, depending on a particular application. Therefore, the input-output circuits 16 and 24, and the optical receivers 20 and 22 of new Fig. 19 are mandatory in any optical communication apparatus employing a transmitter(s) such as disclosed in the present application. Thus all of the elements of Fig. 19 must be present in any optical communication apparatus, it being understood that any such apparatus can optionally be one way or two way, as illustrated in Fig. 19 by the dashed lines, it not being new matter to use either of such one way or two way systems as such systems are inherent in communication systems.

MPEP 2163.07(a) states

“By disclosing in a patent application a device that inherently performs a function or has a property , operates according to a theory or has an advantage, a patent application necessarily discloses that function, theory or advantage, even though it says nothing explicit concerning it. The application may be later amended to recite the function, theory or advantage without introducing prohibited new matter.” citing cases.

As a result, Fig. 19 and the accompanying description are added to the specification to show the express components which operate as a communication apparatus as generally disclosed and is such an amendment. Enclosed also is a red line version of the specification showing the changes to the specification.

Entry of this amendment is respectfully requested.

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